

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**RICH REINISCH, Derivatively on Behalf of
BIOPURE CORPORATION,**

Plaintiff,

v.

**THOMAS A. MOORE, CARL W. RAUSCH,
DAVID N. JUDELSON, CHARLES A.
SANDERS, M.D., C. EVERETT KOOP, M.D.,
DANIEL P. HARRINGTON and J. RICHARD
CROUT, M.D.,**

-and-

Defendants,

**BIOPURE CORPORATION, a Delaware
Corporation,**

Nominal Defendant.

CASE NO. 04-10215-NG

DERIVATIVE ACTION

ACCEPTANCE OF SERVICE OF SUMMONS

I, Eunice E. Lee of Bingham McCutchen LLP, with offices located at 150 Federal Street, Boston, MA 02110, am authorized to and hereby do accept service of Summons and Complaint on behalf of Defendant Thomas A. Moore in above-captioned matter this 15th day of March, 2004.



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Counsel for Defendants Thomas A. Moore, Carl W. Rausch, David N. Judelson, Charles A. Sanders, M.D., C. Everett Koop, M.D., Daniel P. Harrington and J. Richard Crout, M.D.